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17 **UNITED STATES DISTRICT COURT**
18 **CENTRAL DISTRICT OF CALIFORNIA**
19

20 MARGARITO T. LOPEZ
21 individually and as successor in
22 interest to Margarito E. Lopez,
23 Deceased; SONIA TORRES, KENI
24 LOPEZ, and ROSY LOPEZ,
25 individually,

26 Plaintiffs,

27 vs.

28 CITY OF LOS ANGELES; JOSE
ZAVALA; JULIO QUINTANILLA;
and DOES 1-10, inclusive,

Defendants.

Case No.: 2:22-cv-07534-FLA-MAAx
Hon. Judge Fernando L. Aenlle-Rocha,
Hon. Mag. Maria A. Audero

**DECLARATION OF SHANNON J.
LEAP IN SUPPORT OF
PLAINTIFFS' MOTIONS IN LIMINE**

Filed concurrently herewith Plaintiffs' Motions in Limine, [Proposed] Orders.

DECLARATION OF SHANNON J. LEAP

I, Shannon J. Leap, hereby declare as follows:

1. I am an attorney licensed to practice law in this United States District Court. I am one of the attorneys of record for Plaintiffs in this action. I have personal knowledge of the matters stated herein and would and could testify competently thereto if called. I make this declaration in support of Plaintiffs' Motions in Limine filed concurrently herewith.

2. Attached hereto as "Exhibit 1" is a true and correct copy of relevant portions of the deposition of Jose Zavala, dated July 27, 2023.

3. Attached hereto as "Exhibit 2" is a true and correct copy of relevant portions of the deposition of Jose Quintanilla, dated July 27, 2023.

4. Attached hereto as "Exhibit 3" is a true and correct copy of Defendants' Joint Expert Disclosures, dated February 16, 2024.

5. Plaintiffs have not received any Rule 26 Report from Defendants or James Borden.

6. Defendants did not designate or disclose any rebuttal experts, nor did Defendants serve any rebuttal expert reports.

7. On April 18, 2024, Counsel for the Defendants Jose Zavala and Julio Quintanilla, Attorney Muna Busailah, and counsel for all Plaintiffs, Attorneys Dale K. Galipo and Michael Carrillo, Renee Masongsong, and myself met in person, in compliance with Local Rule 16-2 to discuss the pre-trial documents in this case. At that meeting, Ms. Busailah stated that they would not be seeking to call their designated expert, Mr. James Borden, to testify or opine regarding police practices, training, or other areas identified in Defendants' disclosures.

8. Since that date, the Ms. Busailah and Plaintiffs' Counsel have been meeting and conferring regarding a stipulation on this issue, and the Parties have concurrently filed a stipulation. However, the parties could not reach an agreement that Defendants would not attempt to elicit expert testimony in the area of police

1 practices, procedures, use of force, and police officer standards from any person not
2 designated as a retained or non-retained expert witness.

3
4 I declare under penalty of perjury under the laws of the State of California
5 that the foregoing is true and correct. Executed this May 3, 2024 in Woodland Hills,
6 California.

7 BY: /s/ Shannon J. Leap
8 SHANNON J. LEAP
9 *Attorney for Plaintiffs.*
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